THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE DR.JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.1635 OF 2005.

Between

K.Badraiah son of Malsoor,aged
56 yrs, Junior Accounts Officer
ERO (Under suspension), C.P.D.
Company of A.P. Ltd., Jammigadda,
Suryapet, Nalgonda district.

….Appellants

And

1.The Chairman and Managing Director
rep. By Hiralal Samariya, Central Power
Distribution Company of A.P. Ltd.,
Singareni Bhavan, Red Hills, Hyderabad
And 3 others.

….Respondents

JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main appeal itself is taken up for disposal.

The appellant who is the employee of the respondents filed the main

writ petition assailing the order of suspension, dated 06-10-2004 on certain allegations.

Though several contentions have been urged by both sides, however having regard to the charges levelled against him, this Court refused to issue any writ as against the said order.

Having heard the counsel appearing on either side and on perusal of record, the only submission made on behalf of the appellant is that having regard to the principles as laid down in ***P.Rajender V Union of India and another,*** there is no bar for considering the case of the appellant afresh on the facts and circumstances of the case as to whether the appellant can be continued under suspension and therefore, he would be permitted to file fresh application.

Accepting the same, the writ appeal is accordingly dismissed giving opportunity to the appellant to file a comprehensive representation pointing out various circumstances which will be considered by the respondents and pass orders on merits in accordance with law. No costs.

B.PRAKASH RAO, J

G.YETHIRAJULU, J

Dated: 27-09-2005

Hsd